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PTO/SB/05 (11-00)  
Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 520.40407X00  
First Inventor Yoshimi NAKAGAWA  
Title See 1 in Addendum  
Express Mail Label No.

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 23]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 5]
5. Oath or Declaration [Total Pages 5]
  - a. ☒ Newly executed (original or copy)  
Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
  - b. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☒ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☒ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: See Attachment

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part(CIP)

of prior application No: \_\_\_\_\_ / \_\_\_\_\_

Prior application information

Examiner

Group Art Unit

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

020457

(Insert Customer No. or Attach bar code label here)

or ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Carl I. Brundidge

Registration No. (Attorney/Agent)

29,621

Signature

Date

August 1, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Year	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	

**17. Other Accompanying Application Parts (Cont'd):**

## Credit Card Payment Form

## List and Copies of Prior Art

## Addendum

1. PATHSIZE CONTROL METHOD AND OPERATION OF TRANSMISSION APPARATUS
2. PATHSIZE CONTROL METHOD AND OPERATION OF TRANSMISSION APPARATUS

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL**  
**for FY 2000**

Patent fees are subject to annual revision.

Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12  
See 37 C.F.R. §§ 1.27 and 1.28.**TOTAL AMOUNT OF PAYMENT** (\$910.00)**Complete if Known**

Application Number	
Filing Date	August 1, 2001
First Named Inventor	Yoshimi NAKAGAWA
Examiner Name	
Group / Art Unit	
Attorney Docket No.	520.40407X00

**METHOD OF PAYMENT** (check one)

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **01-2135**Deposit Account Name **Antonelli, Terry, Stout & Kraus, LLP**☒ Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

- 2.
- ☒
- Payment Enclosed:

☐ Check ☐ Money Order ☒ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 690 201 345		Utility filing fee	710.00
106 310 206 155		Design filing fee	
107 480 207 240		Plant filing fee	
108 690 208 345		Reissue filing fee	
114 150 214 75		Provisional filing fee	

**SUBTOTAL (1)** (\$ 710.00)**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
5	-20** = 0	18	0
5	-3** = 2	80	160
Multiple Dependent			0

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
103 18 203 9		Claims in excess of 20	
102 78 202 39		Independent claims in excess of 3	
104 260 204 130		Multiple dependent claim, if not paid	
109 78 209 39		** Reissue independent claims over original patent	
110 18 210 9		** Reissue claims in excess of 20 and over original patent	

**SUBTOTAL (2)** (\$ 160.00)**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130 205 65		Surcharge - late filing fee or oath	0.00
127 50 227 25		Surcharge - late provisional filing fee or cover sheet	0.00
139 130 139 130		Non-English specification	0.00
147 2,520 147 2,520		For filing a request for reexamination	0.00
112 920* 112 920*		Requesting publication of SIR prior to Examiner action	0.00
113 1,840* 113 1,840*		Requesting publication of SIR after Examiner action	0.00
115 110 215 55		Extension for reply within first month	0.00
116 380 216 190		Extension for reply within second month	0.00
117 870 217 435		Extension for reply within third month	0.00
118 1,360 218 680		Extension for reply within fourth month	0.00
128 1,850 228 925		Extension for reply within fifth month	0.00
119 300 219 150		Notice of Appeal	0.00
120 300 220 150		Filing a brief in support of an appeal	0.00
121 260 221 130		Request for oral hearing	0.00
138 1,510 138 1,510		Petition to institute a public use proceeding	0.00
140 110 240 55		Petition to revive - unavoidable	0.00
141 1,210 241 605		Petition to revive - unintentional	0.00
142 1,210 242 605		Utility issue fee (or reissue)	0.00
143 430 243 215		Design issue fee	0.00
144 580 244 290		Plant issue fee	0.00
122 130 122 130		Petitions to the Commissioner	0.00
123 50 123 50		Petitions related to provisional applications	0.00
126 240 126 240		Submission of Information Disclosure Stmt	0.00
581 40 581 40		Recording each patent assignment per property (times number of properties)	40.00
146 690 246 345		Filing a submission after final rejection (37 CFR § 1.129(a))	0.00
149 690 249 345		For each additional invention to be examined (37 CFR § 1.129(b))	0.00
		Other fee (specify)	0.00
		Other fee (specify)	0.00

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ 40.00)**SUBMITTED BY**

Name (Print/Type)	Carl L. Brundidge	Registration No. (Attorney/Agent)	29,621	Telephone	703-312-6600
Signature		Date	August 1, 2001		

**WARNING:**

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Docket No. 520.40407K00

Filing Date August 1, 2001

**ATTORNEY REPORT OF NEWLY FILED APPLICATION<sup>1</sup>**

10997 U.S. PRO  
09/918537  
08/01/01

- 1) **Was the Declaration filed with the application?** Yes / No  
If not, please indicate how the Notice to File Missing Parts should be handled by Formalities Department:

- ☐ Prepare missing parts and client cover letter (forward to atty)  
☐ Prepare missing parts, but NO client cover letter (forward to atty)  
☐ Forward directly to attorney (w/o preparing missing parts)

- 2) **Were the drawings formal?** Yes / No  
If no, have the drawings been sent to a Draftsman (2 month return requested)? Yes / No

- 3) **Was there a Request for Non-Publication?** Yes / No

- 4) **Is a Preliminary Amendment necessary?** Yes / No  
(docket for 3 months from filing date)

- 5) **Is an Information Disclosure Statement necessary?** Yes / No  
(docket for 3 months from filing date)

- 6) **What is the priority date under 35 USC §119?** 12/20/00  
(If none, write "NONE")  
Was a claim for priority filed? Yes / No

- 7) **What is the priority date under 35 USC §120**  
(If none, write "NONE")  
Was the first sentence of the specification amended to refer to the earlier application? Yes / No

Atty initials CB

<sup>1</sup> This report is to be completed upon the filing of any original utility patent application, CPA application, Rule 53(b) continuation or divisional application, or continuation-in-part patent application in the United States Patent and Trademark Office and initialed by the responsible attorney. It is not completed for PCT applications, foreign filed applications, design applications, trademark applications or Requests for Continued Examination.